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PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION
AND
POWER OF ATTORNEY
FOR UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing **OR** ☒ Declaration Submitted after Initial Filing (Surcharge (37 CFR 1.16(e)) required)
OR ☐ Unexecuted Declaration Submitted with Initial Filing

Attorney Docket Number	ORT1563NP
First Named Inventor	Anton Bittner
COMPLETE IF KNOWN	
Application Number	10/753,107
Filing Date	06 January 2004
Group Art Unit	1631
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Methods And Algorithms For Performing Quality Control During Gene Expression Profiling On DNA Microarray Technology
(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) **01/06/2004** as United States Application Number **10/753,107**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
60/438,002	01/06/2003	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status

I hereby appoint:

☒ Practitioners at Customer Number **000027777** →

Place Customer
Number Bar Code
Label Here

AND

☒ Practitioner(s) named below:

Name

Linda S. Evans

Registration Number

33,873

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Address all telephone calls to Linda S. Evans at telephone number (858) 320-3406.

Direct all correspondence to: Customer Number ☒ or Bar Code Label **000027777** OR ☐ Correspondence address below

Name:

Address:

Address:

City:

State:

ZIP

Country

Telephone:

Fax:



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Anton

Family Name
or Surname Bittner

Inventor's
Signature

Date

6/16/2004

Residence: City Escondido

State CA

Country US

Citizenship US

Mailing Address 2274 Orchard View Lane

City Escondido

State CA

ZIP 92027

Country US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Andrew A.

Family Name
or Surname Carmen

Inventor's
Signature

Date

6/22/04

Residence: City San Diego

State CA

Country US

Citizenship US

Mailing Address 5230 Setting Sun Way

City San Diego

State CA

ZIP 92121

Country US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF THIRD INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Albert

Family Name
or Surname Leung

Inventor's
Signature

Date

6/15/2004

Residence: City San Diego

State CA

Country US

Citizenship US

Mailing Address 12707 Brubaker Court

City San Diego

State CA

ZIP 92130

Country US



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Xuejun		Family Name or Surname Liu	
Inventor's Signature		Date July 7, 2004	
Residence: City San Diego	State CA	Country US	Citizenship People's Rep. Of China

Mailing Address 4644 Corte Sol Del Dios

City San Diego	State CA	ZIP 92130	Country US
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Simon		Family Name or Surname Smith	
Inventor's Signature		Date 6/16/2004	
Residence: City San Diego	State CA	Country US	Citizenship US

Mailing Address 4858 Riding Ridge Road

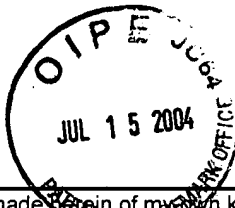
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NAME OF SIXTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Li		Family Name or Surname Sun	
Inventor's Signature		Date 6/29/2004	
Residence: City Carlsbad	State CA	Country US	Citizenship People's Rep. Of China

Mailing Address 6578 Scaup Street

City Carlsbad	State CA	ZIP 92009	Country US
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NAME OF SEVENTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Jackson

Family Name
or Surname Wan

Inventor's
Signature

Date

6/28/04

Residence: City San Diego

State CA

Country US

Citizenship US

Mailing Address 10929 Corte Luz Del Sol

City San Diego

State CA

ZIP 92130

Country US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF EIGHTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Huinian

Family Name
or Surname Xiao

Inventor's
Signature

Date

6/15/2004

Residence: City San Diego

State CA

Country US

Citizenship US

Mailing Address 4540 Exbury Court

City San Diego

State CA

ZIP 92130

Country US

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NAME OF NINTH INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Xiang

Family Name
or Surname Yao

Inventor's
Signature

Date

6/15/2004

Residence: City San Diego

State CA

Country US

Citizenship People's Rep. Of
China

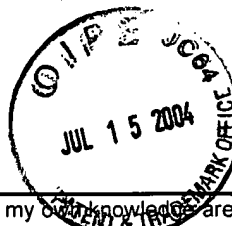
Mailing Address 9125 Truman Street

City San Diego

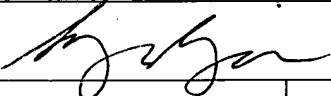
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ZIP 92129

Country US



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NAME OF TENTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Lynn		Family Name or Surname Yieh	
Inventor's Signature 		Date 6/21/04	
Residence: City San Diego	State CA	Country US	Citizenship US
Mailing Address 3781 Torrey View Court			
City San Diego	State CA	ZIP 92130	Country US